

Rapaport Law Firm, PLLC
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**INVOICE/STATEMENT OF
SERVICES**

October 30, 2024

Matter Name: Colon et al.v. Yaaron LLC et al. 2023

Professional Services

		<u>Hrs/Rate</u>	<u>Amount</u>
	<u>Marc A. Rapaport</u>		
7/24/2023	MR Initial meeting with Mr. Colon, KG as interp	1.00 450.00/hr	450.00
7/25/2023	MR Meeting with Mr. Aquino and Mr. Colon	2.00 450.00/hr	900.00
8/11/2023	MR Edit complaint	1.50 450.00/hr	675.00
9/5/2023	MR Fact research - defendants' addresses for service of process of pleadings	1.00 450.00/hr	450.00
10/20/2023	MR Receive and review deft's Answer to complaint	0.20 450.00/hr	90.00
10/23/2023	MR Receive and review mediation referral and mediator assignment	0.10 450.00/hr	45.00
10/27/2023	MR Emails with Ms. Breen re. joint R. 26(f) report	0.10 450.00/hr	45.00
11/1/2023	MR Email to Judge Freedman and Counsel for Defts	0.10 450.00/hr	45.00
11/2/2023	MR Prepare for R. 26 conf with defs' counsel, Ms. Breen	0.50 450.00/hr	225.00
	MR R. 26 tel. conf with Ms. Breen	0.60 450.00/hr	270.00
	MR Draft R. 26 Report; review Judge Koeltl's individual rules	0.50 450.00/hr	225.00
11/4/2023	MR Further changes/edits to proposed case management and scheduling order; email to Ms. Breen regarding same and attaching draft	0.50 450.00/hr	225.00

		<u>Hrs/Rate</u>	<u>Amount</u>
11/4/2023	MR Conference call with KG and client Rudy Colon regarding [REDACTED] [REDACTED] schedule in-person appt. for Monday; KG as interpreter	0.20 450.00/hr	90.00
	MR Review discovery requirements contained in mediation referral order; meeting with KG re same; review documents already in our file	0.50 450.00/hr	225.00
11/6/2023	MR Telephone call from Ms. Breen, defs' counsel, re: discovery deadlines; proposed scheduling order	0.20 450.00/hr	90.00
	MR Meeting in office with Mr. Aquino and Mr. Colon, with K Gulfo as interpreter. [REDACTED]	1.00 450.00/hr	450.00
	MR Tel. call with Ms. Breen	0.17 450.00/hr	75.00
11/9/2023	MR Prepare for call with opposing counsel and Hon. Freedman	0.60 450.00/hr	270.00
	MR Call with opposing counsel, Ms. Breen and Hon. Freedman	0.50 450.00/hr	225.00
11/10/2023	MR TC with Mr. Colon, K. Gulfo as interpreter	0.20 450.00/hr	90.00
11/14/2023	MR LR re: issues and legal requirements relating to payment of wages via prepaid debit cards; NYLL provisions relating to same	1.00 450.00/hr	450.00
	MR Email to Judge Freedman and counsel for Defts re. plaintiffs' preliminary spreadsheets of their estimated damages. and settlement demand	0.20 450.00/hr	90.00
	MR Receive and review newly provided electronic comm's provided by Mr. Colon, including his texts and WhatsApp comm's with tenants	1.00 450.00/hr	450.00
11/15/2023	MR Telephone call with Defendants' counsel Ms. Breen re: next steps; initial production of documents per Judge's scheduling order; touch upon settlement-related issues	0.20 450.00/hr	90.00
11/16/2023	MR T/c with defendants' counsel, Ms. Breen, re discovery schedule; mediation	0.20 450.00/hr	90.00
11/27/2023	MR Email to Ms. Breen Esq., convey initial demand	0.10 450.00/hr	45.00
11/30/2023	MR Plan and prepare for today's pre-mediation conference call; review defendants' discovery (payroll journals)	0.60 450.00/hr	270.00
	MR Initial pre-mediation conference (virtual) with mediator and defendants' counsel	0.50 450.00/hr	225.00
12/7/2023	MR Respond to email of JAMS	0.10 450.00/hr	45.00
12/8/2023	MR Revisions to R.26 Initial Disclosure; discussion with KG re same	0.50 450.00/hr	225.00

			<u>Hrs/Rate</u>	<u>Amount</u>
12/11/2023	MR	Telephone call with Caitlin Breen, Esq. regarding discovery, scheduling and related issues	0.20 450.00/hr	90.00
12/12/2023	MR	Draft edits to Plaintiffs' First set of Interrogatories to all Defs	0.50 450.00/hr	225.00
12/13/2023	MR	Email with Ms. Breen, atty for defts re. discovery deadlines	0.20 450.00/hr	90.00
	MR	Further emails with Ms. Breen re scheduling discovery	0.10 450.00/hr	45.00
12/22/2023	MR	Review docket; email with defts' counsel re: revised scheduling order is due on Monday	0.50 450.00/hr	225.00
	MR	LR: NY Gen. Bus Law and Lim. Liab. Co. law re: notices to shareholders and management members to trigger indiv. liability	0.50 450.00/hr	225.00
1/10/2024	MR	T/c with defendants' counsel, Ms. Breen, re discovery deadlines; mediation-related issues	0.20 450.00/hr	90.00
1/16/2024	MR	Review and update damages calculations	1.10 450.00/hr	495.00
1/17/2024	MR	T/c with defendants' counsel, Ms. Breen, re: settlement-related and discovery-related issues; review docket	0.60 450.00/hr	270.00
	MR	Draft untimely pay section of mediation statement	1.50 450.00/hr	675.00
1/18/2024	MR	LR relating to plaintiffs' claims for liquidated damages for defendants' violations of NYLL weekly pay requirements; review this weeks App. Div decision	1.00 450.00/hr	450.00
	MR	Telephone calls with Mr. Colon and Mr. Aquino re [REDACTED] [REDACTED]	0.50 450.00/hr	225.00
	MR	Contin drafting mediation statement; research defendants' portfolio of buildings; public records relating to defendants' buildings and issues relating to their financial wherewithal to pay a substantial judgment/settlement; draft mediation section regarding liquidated damages on minimum wage and overtime claims	3.50 450.00/hr	1,575.00
	MR	Final proofreading/review of mediation stmt.	1.00 450.00/hr	450.00
1/19/2024	MR	Prepare for mediation; telephone call with Mr. Colon	1.00 450.00/hr	450.00
	MR	Receive and review defendants' proposed letter motion for extension of discover deadlines; extensive revisions to same; review Judge Koeltl's Order of 11/8.23, individual rules, and the FLSA Discovery Protocols in connection with same; email re same with defendants' counsel, Ms. Breen	1.20 450.00/hr	540.00
	MR	Call with Mr. Aquino, K. Gulfo as interp	0.20 450.00/hr	90.00

			<u>Hrs/Rate</u>	<u>Amount</u>
1/19/2024	MR	Call with IT specialist and K. Gulfo regarding client coordination/configuration for virtual mediation	0.30 450.00/hr	135.00
	MR	Revise Defendants' proposed joint letter motion; emails with Defs' counsel Ms. Breen re same; t/c with Ms. Breen re same	0.60 450.00/hr	270.00
1/23/2024	MR	Pre mediation discussion with clients; KG as interpreter	1.00 450.00/hr	450.00
	MR	Mediation, virtual	3.00 450.00/hr	1,350.00
1/25/2024	MR	Review rules/law re: General Business Law obligation of shareholders/members and notice requirement	0.50 450.00/hr	225.00
2/2/2024	MR	Draft non-party document subpoena to defs' payroll provider, Heartland	0.60 450.00/hr	270.00
2/5/2024	MR	Discussions with KG re: edits and revisions to 30(b)(6) deposition notice to Yaaron LLC; review revised version	0.40 450.00/hr	180.00
	MR	Receive and review emails from Ms. Breen re: written discovery deadlines; respond to same; review calendar and identify potential deposition dates	0.40 450.00/hr	180.00
2/6/2024	MR	Teleph call with Mr. Colon	0.20 450.00/hr	90.00
2/7/2024	MR	Extensive t/c with witness (resident of building where plaintiffs' worked) review publicly filed documents, including court records, regarding building	1.50 450.00/hr	675.00
	MR	LR re Defendants' demand for tax returns; recent case law	1.00 450.00/hr	450.00
2/14/2024	MR	LR re: joint employer and single employer case law; draft amended complaint	2.00 450.00/hr	900.00
2/15/2024	MR	Draft first amended compl; research as to debt via public records and court records; research as to Yonah Halton; meeting with KG re. FAC; call with Mr. Colon, KG and interp	5.00 450.00/hr	2,250.00
2/21/2024	MR	Review Defs' proposed letter motion for extension of discovery as a result of newly-added defendant; re-review the Court's revised scheduling order of 1/30/24; emails with defs' counsel re same; t/c with defendants' counsel re same	0.60 450.00/hr	270.00
2/23/2024	MR	Review and extensively revise Defendants' draft joint letter to Court	0.50 450.00/hr	225.00
2/29/2024	MR	Review non-party Heartland's document production in response to our subpoena	0.50 450.00/hr	225.00
3/17/2024	MR	Extensive drafting of letter setting forth objections to defs' discovery demands, including rogs of defs that are improper contention rogs and/or violate work product doctrine; LR re same;	2.50 450.00/hr	1,125.00

		<u>Hrs/Rate</u>	<u>Amount</u>
3/17/2024	MR LR re: discovery demands for social media and/or text comm's in the context of overtime claims	1.00 450.00/hr	450.00
3/28/2024	MR Telephone call with Ms. Breen re: scheduling order that is due tomorrow	0.20 450.00/hr	90.00
5/24/2024	MR Meetings with Colon and Aquino	2.50 450.00/hr	1,125.00
5/28/2024	MR Further review/edit responses to document demands	2.00 450.00/hr	900.00
5/30/2024	MR Discussions with KG and SB re: meeting with witnesses at building; obtaining witness statements	0.40 450.00/hr	180.00
6/4/2024	MR Draft Request for Admissions	0.50 450.00/hr	225.00
7/11/2024	MR Review and edit letter motion to court re: joint request to extend discovery pending mediation efforts	0.50 450.00/hr	225.00
	MR Draft email to mediator Nardo advising that the parties jointly wish to retain him as mediator, and asking for his availability	0.20 450.00/hr	90.00
7/12/2024	MR Receive notice from Court setting forth revised deadlines for discovery and dispositive motions; calendar same	0.20 450.00/hr	90.00
8/23/2024	MR Full morning of mediation	4.00 450.00/hr	1,800.00
	MR Afternoon mediation session, 1:00 to 4:15 pm; settlement in principal reached; meeting with clients with KG as interpreter	3.50 450.00/hr	1,575.00
9/22/2024	MR Review and revise draft letter to Court regarding the parties' settlement in principle and requesting a deadline for submitting a Cheeks application; email same to defendants' counsel for approval	0.30 450.00/hr	135.00
10/10/2024	MR T/c with R Faul, defendants' counsel, re issues relating to settlement agreement, particularly with respect to payment provisions, tax withholdings and tax treatment of payment; review language in most recent draft relating to same	0.50 450.00/hr	225.00
	MR Draft revisions to payment provisions of proposed settlement agreement and reporting of payments via 1099/W-2	0.70 450.00/hr	315.00
10/11/2024	MR Prepare final versions of settlement agreement for execution, dividing payments into 1099 and W-2 portions. Email same to defendants' counsel	0.50 450.00/hr	225.00
10/22/2024	MR Draft background and damages section of Cheeks letter	1.50 450.00/hr	675.00
10/23/2024	MR Meeting with Mr. Aquino and Mr. Colon; extensive discussion regarding settlement agreement, with KG as interpreter; agreement executed and tax forms signed	1.20 450.00/hr	540.00
	MR Draft sections of Cheeks letter relating to estimated damages and reasonableness of the settlement amount. Review Plaintiffs' damages calculations in connection with same	1.50 450.00/hr	675.00

			<u>Hrs/Rate</u>	<u>Amount</u>
10/23/2024	MR	Review billing records; calculate lodestar	1.00 450.00/hr	450.00
10/25/2024	MR	email comm's with Defendants' attorney, Faul, re: defendant Meir Rothman's refusal to sign the settlement agreement; reject Defendants' counsel's request that we seek approval of agreement without defendant Rothman's signature.	0.20 450.00/hr	90.00
	MR	Further edits to Cheeks letter; add section relating to best-case potential damages; update Lodestar analysis/legal research	1.00 450.00/hr	450.00
10/28/2024	MR	Emails with defendants' counsel re: holdout among defendants.	0.10 450.00/hr	45.00
SUBTOTAL:			[73.77	33,195.00]
<u>Karina Gulfo</u>				
7/23/2023	KG	Meeting with Colon, interpret	1.00 115.00/hr	115.00
7/25/2023	KG	Meeting with Mr. Aquino and Colon, interpret during same	1.00 115.00/hr	115.00
7/27/2023	KG	begin initial draft of complaint	0.70 115.00/hr	80.50
8/1/2023	KG	T/C with Mr. Aquino	0.10 115.00/hr	11.50
8/11/2023	KG	Edit, finalize and file compl	2.00 115.00/hr	230.00
8/15/2023	KG	Communications with process server re: instructions and locations for service of pleadings; discussion with MR re same	0.20 115.00/hr	23.00
8/24/2023	KG	Prepare initial draft of plaintiffs' damages chart; review documents provided by clients and discussions with MR re same	2.00 115.00/hr	230.00
9/5/2023	KG	File AOS via ECF, discussion with MR re. Deft Jungreis and service of process issue	0.30 115.00/hr	34.50
9/26/2023	KG	Receive and review Deft. Jungreis affidavits of server from process server	0.20 115.00/hr	23.00
10/25/2023	KG	Calendar pre mediation call, file mediation Order; email to MR re: summary of initial estm. damages for each Plaintiff	0.50 115.00/hr	57.50
11/2/2023	KG	Research as to Judge's rules, specific FLSA rules and discovery requirements; research as to rule 26 report requirements	1.00 115.00/hr	115.00
	KG	Create damages chart regarding Plaintiffs' claims for untimely pay; review of initial pleading; comm's with MR re. same; extensive edits to prior damages chart to include additional weeks permitted under NY Executive Order tolling statute of limitations due to pandemic	1.50 115.00/hr	172.50

			<u>Hrs/Rate</u>	<u>Amount</u>
11/3/2023	KG	Comm's w/ defts' counsel	0.10 115.00/hr	11.50
11/4/2023	KG	Discussion with MR re pre-mediation discovery; conference call MR and client Colon, interpret	0.30 115.00/hr	34.50
11/9/2023	KG	Edit damages chart	0.70 115.00/hr	80.50
	KG	Assist with preparation for call with defts counsel and Judge Freedman, create case/damages summary	0.50 115.00/hr	57.50
11/10/2023	KG	Research as to obtaining/extracting text messages from clients' cell phones for discovery purposes; review software: Decipher Text Message	0.70 115.00/hr	80.50
	KG	Call with Mr Colon and MR	0.20 115.00/hr	23.00
11/13/2023	KG	Edits to damages chart; meeting with MR re same	0.50 115.00/hr	57.50
11/14/2023	KG	Further edits to damages chart; send same to mediator and defts' counsel	0.70 115.00/hr	80.50
	KG	Comm's with client Mr. Colon	0.10 115.00/hr	11.50
	KG	Meeting with Rudy A. Colon re: [REDACTED]	1.00 115.00/hr	115.00
11/30/2023	KG	Prepare for 2nd call with mediator; prepare documents and notes for MR; review damages	0.70 115.00/hr	80.50
12/8/2023	KG	draft rule 26 disclosures; draft proposed joint email to JAMS re court-annexed mediation with mediator, Judge Freedman, and circulate draft of same to defts' counsel.	1.00 115.00/hr	115.00
	KG	Teleph calls with Mr. Colon and Mr. Aquino; schedule in-person meeting with Mr. Colon and Mr. Aquino	0.30 115.00/hr	34.50
12/11/2023	KG	Begin draft document demands, review of pleadings	1.20 115.00/hr	138.00
12/12/2023	KG	Review of pre-mediation disclosure requirements and defts' production	0.40 115.00/hr	46.00
	KG	Calendar and compile list of all deadlines; send email to Mr. Rapaport regarding same	0.30 115.00/hr	34.50
	KG	Begin draft interrogatories to defendants	1.10 115.00/hr	126.50
12/21/2023	KG	Begin review of Colon's texts re. discovery	1.00 115.00/hr	115.00
12/23/2023	KG	Continue prelim. review of Colon's texts re. discovery	1.30 115.00/hr	149.50

			<u>Hrs/Rate</u>	<u>Amount</u>
1/16/2024	KG	Begin draft of mediation memo; send same to MR	0.70 115.00/hr	80.50
1/17/2024	KG	Further drafting of mediation statement; addition of legal principles concerning NYLL janitor's exemption	1.50 115.00/hr	172.50
1/18/2024	KG	Edits to mediation statement re. background, hours and plaintiffs' duties; legal research as to NYLL and FLSA record keeping requirements	0.60 115.00/hr	69.00
	KG	Leave VM for clients and texts	0.20 115.00/hr	23.00
	KG	Extensive edits to mediation submission; review MR's damage calculation revisions and update mediation stmt to reflect same; review discovery materials provided by defs and include section addressing same in mediation memo	4.00 115.00/hr	460.00
	KG	Further edits to mediation memo; extensive discussions with MR re same	1.00 115.00/hr	115.00
1/19/2024	KG	Call with IT specialist and MR regarding client coordination/configuration for virtual mediation	0.30 115.00/hr	34.50
	KG	Proofread letter to court to extend discovery deadlines	0.10 115.00/hr	11.50
	KG	Call with Mr. Aquino and MR	0.20 115.00/hr	23.00
	KG	Leave VM for Mr. Colon	0.10 115.00/hr	11.50
1/23/2024	KG	Pre mediation discussion with clients, interpret during same	1.00 115.00/hr	115.00
	KG	mediation -- interpret during same	3.00 115.00/hr	345.00
2/5/2024	KG	Proof and edit depo notice to Yaaron LLC	0.20 115.00/hr	23.00
2/12/2024	KG	Proof and send to defts' counsel Plaintiffs' Supplemental Initial Rule 26 Disclosures.	0.20 115.00/hr	23.00
2/15/2024	KG	Proof, edit and file first amended compl and summons, meeting with MR re. same; call with Mr. Colon and interpret during same	2.50 115.00/hr	287.50
2/25/2024	KG	Review and file text messages from Mr. Colon	0.60 115.00/hr	69.00
2/27/2024	KG	File affidavit of service via ECF Yonah Halton served on 2/22/2024	0.10 115.00/hr	11.50
3/27/2024	KG	Receive calls from defts' counsel; send message to MR re. same; continue drafting interrogatory objections	1.00 115.00/hr	115.00
3/28/2024	KG	Complete drafting interrogatory objections	1.00 115.00/hr	115.00

			<u>Hrs/Rate</u>	<u>Amount</u>
3/28/2024	KG	Draft revised scheduling order	0.50 115.00/hr	57.50
3/29/2024	KG	Continue drafting responses and objections to defts' document demands; LR re. same	2.50 115.00/hr	287.50
	KG	Review/proof proposed scheduling order; file same via ECF	0.40 115.00/hr	46.00
4/2/2024	KG	Finish drafting objections to defts' document demands; send same to MR for review	0.70 115.00/hr	80.50
4/9/2024	KG	File aff of service as to Yonah Halton (second attempt)	0.10 115.00/hr	11.50
5/16/2024	KG	Email comm to defts counsel	0.10 115.00/hr	11.50
5/23/2024	KG	Proofread MR's edits to discovery objections and responses; edit same; edit responses to defts' req. for document production; review production and edit same; upload documents to Sharefile for secure transfer to Defts counsel	4.00 115.00/hr	460.00
	KG	Add documents to production; edit index	0.30 115.00/hr	34.50
5/24/2024	KG	Interpret during meetings with Colon and Aquino	2.50 115.00/hr	287.50
5/30/2024	KG	Meeting with MR re. witness stmts, discussion with SB	0.60 115.00/hr	69.00
6/3/2024	KG	LR re. notice to admit	0.30 115.00/hr	34.50
7/10/2024	KG	Draft joint letter to court; send same to defts counsel	0.50 115.00/hr	57.50
8/20/2024	KG	Review and revise Plaintiffs' damage calculations	3.00 115.00/hr	345.00
8/23/2024	KG	Participate in mediation; interpret for clients during mediation	5.50 115.00/hr	632.50
	KG	Prepare documents for mediation and notes/summary	0.30 115.00/hr	34.50
	KG	Meeting with MR, Mr. Colon, and Mr. Aquino [REDACTED] [REDACTED]	0.50 115.00/hr	57.50
8/29/2024	KG	Call with Mr. Colon and email to Defts counsel regarding inspection of client's apartment pursuant to agreement at mediation session	0.20 115.00/hr	23.00
9/17/2024	KG	Organize sample settlement agreements	0.20 115.00/hr	23.00
9/18/2024	KG	Review and edit settlement agreement and send same via email to counsel for Defts	1.00 115.00/hr	115.00

			<u>Hrs/Rate</u>	<u>Amount</u>
10/21/2024	KG	Draft letter extension request; edit and send same to depts' counsel; file same via ECF; call with Mr. Colon re. appointment	0.40 115.00/hr	46.00
10/23/2024	KG	Meeting with clients and MR; execution of agreement and tax forms, interpret during same	1.20 115.00/hr	138.00
10/24/2024	KG	Proofread and edit Cheeks letter	1.00 115.00/hr	115.00
	KG	Email to Regina Faul, Esq. counsel for depts' re. change to settlement apportionment	0.10 115.00/hr	11.50
	KG	Draft consent to magistrate	0.20 115.00/hr	23.00
10/25/2024	KG	Review of billing records and case-related disbursements in connection with Cheeks application	0.80 115.00/hr	92.00
10/30/2024	KG	Proofread final version of Cheeks letter; submit proposed consent to magistrate via ECF	0.40 115.00/hr	46.00
	KG	Finalize and file Cheeks application	0.50 115.00/hr	57.50
SUBTOTAL:			[68.70	7,900.50]
2/15/2024	SB	Review texts and add bates numbering; attention to index	3.00 95.00/hr	285.00
2/29/2024	SB	Continue indexing of production	1.00 95.00/hr	95.00
3/15/2024	SB	Assist KG with responses to depts' rogs; attention to formatting/document issues	1.00 95.00/hr	95.00
	SB	Telph call with Mr. Aquino re: [REDACTED] [REDACTED] meeting with MR re same	0.50 95.00/hr	47.50
3/28/2024	SB	Update document index	0.70 95.00/hr	66.50
5/23/2024	SB	Begin review of Colon's messages; make detailed chart/index concerning dates, times and topics of said messages; 3 hours in early afternoon and 3 hours in evening	6.00 95.00/hr	570.00
5/24/2024	SB	Review of Colon's message and pay stubs/checks; prepare itemized spreadsheet of dates, times and topics of said messages, pay documents, and other documents proved by client	3.00 95.00/hr	285.00
5/30/2024	SB	Meet with witnesses, collect statements regarding Plaintiff Aquino's claims (entry is inclusive of travel time/from Upper Manhattan)	3.00 95.00/hr	285.00
SUBTOTAL:			[18.20	1,729.00]
For professional services rendered			160.67	\$42,824.50

Additional Charges :

	<u>Amount</u>
<u>Karina Gulfo</u>	
8/11/2023 ANYSDC-28139284 Compl. Filing Fee	402.00
8/28/2023 Undisputed Legal, service of process; Invoice no. 9370820	100.00
9/5/2023 Undisputed Legal Inc. - Service of Process, #015258	400.00
11/2/2023 In-house copies	9.00
11/9/2023 In house copies	13.30
11/30/2023 in house copies	19.25
12/12/2023 In-house copies, defts' prelim. production	13.00
1/18/2024 In-house copies; copies of legal research documents and pleadings	17.00
2/20/2024 Undisputed Legal Invoice: Service on Halton	100.00
4/2/2024 Express Service of Process; Undisputed Legal Inc, Deft Yonah Halton, Invoice No. 660c52f38aa14	200.00
8/23/2024 Ray Nardo, Esq. mediator fees	990.00
8/26/2024 Ray Nardo, Esq. - mediator fees	420.75
SUBTOTAL:	[2,684.30]
Total additional charges	\$2,684.30
For professional services rendered	160.67 \$45,508.80

Timekeeper Summary

<u>Name</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Marc Rapaport	73.77	450.00	\$33,195.00
Karina Gulfo	68.70	115.00	\$7,900.50
Samantha Bourdierd	18.20	95.00	\$1,729.00